

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
SOUTHERN DIVISION**

AUTO-OWNERS INSURANCE COMPANY,)
)
)
Plaintiff,)
)
)
vs.) **No. 1:15-CV-00212**
)
)
SOUTHEASTERN CAR WASH SYSTEMS,)
MILLER ELECTRIC, INC.,)
THERESA EVANS, individually and)
d/b/a ISLAND OASIS,)
AND D'ALTON PROPERTIES, LLC,)
)
Defendants.)

**AGREED ORDER OF SETTLEMENT WITH RESPECT TO DEFENDANTS THERESA
EVANS, INDIVIDUALLY AND D/B/A ISLAND OASIS, AND D'ALTON PROPERTIES,
LLC**

The Plaintiff, Auto-Owners Insurance Company (hereinafter “Auto-Owners”) and Defendants, Theresa Evans, individually and d/b/a Island Oasis, (“Evans”) and D’Alton Properties, LLC (“D’Alton”), stipulating that Evans’ and D’Alton’s interest in this case is limited to whether their co-defendants in the underlying suit in state court, Defendants Southeastern Car Wash Systems and Miller Electric, Inc., have insurance coverage for the claims brought against them by Evans and D’Alton, have agreed that this matter be resolved between them as set forth herein. It is, accordingly, ORDERED as follows:

1. Evans and D’Alton do not contest jurisdiction or venue in this case and submit to the jurisdiction of this Court for resolution of this declaratory judgment action.
2. Evans and D’Alton are excused from participation of this litigation and counsel is excused from sending notice, pleadings, or other correspondence or communication to Evans, D’Alton, and/or their counsel from and after the date of the entry of this Order.

3. Evans and D'Alton shall be bound by the Court's ruling and judgment on the issue of the declaratory judgment sought by Plaintiff regarding insurance coverage. Any interest of Evans and D'Alton in, of, or with respect to the declaratory judgment sought by the Plaintiff in any Prayer for Relief is submitted to the Court for resolution through this lawsuit.

4. No monetary judgment shall be granted to the Plaintiff as to the Evans or D'Alton in this action.

5. That no costs, discretionary costs, expert fees, or other expenses shall be awarded to Plaintiff with respect to the Evans or D'Alton.

ENTERED, this _____ day of _____, 2015.

UNITED STATES DISTRICT COURT JUDGE

APPROVED:

WOOLF, McCLANE, BRIGHT, ALLEN &
CARPENTER, PLLC

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